



Stalking Protection Act 2019

2019 CHAPTER 9

Stalking protection orders

4 Variations, renewals and discharges

- (1) The defendant or a relevant chief officer of police (see section 14(1)) may apply to a magistrates' court for an order varying, renewing or discharging a stalking protection order.
- (2) Before making a decision on an application under subsection (1), the court must hear—
 - (a) the defendant, and
 - (b) any relevant chief officer of police who wants to be heard.
- (3) On an application under subsection (1) the court may make any order varying, renewing or discharging the stalking protection order that the court considers appropriate.
- (4) But the court may not—
 - (a) in renewing or varying an order, impose an additional prohibition or requirement unless satisfied that it is necessary to do so in order to protect a person from a risk associated with stalking;
 - (b) discharge an order before the end of 2 years beginning with the day on which the order was made without the consent of the defendant and—
 - (i) where the application was made by a chief officer of police, that chief officer, or
 - (ii) in any other case, the chief officer of police who applied for the stalking protection order and (if different) the chief officer of police for the area in which the defendant resides, if that area is in England or Wales.

Commencement Information

II S. 4 in force at 20.1.2020 by S.I. 2020/26, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Stalking Protection Act 2019, Section 4.